

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

2022 JUN 16 PM 12: 50

Mark Saunders,

Plaintiff,

v.

Rosilind Picard, et al.

Defendants.

Civil Action No. 1:21-cv-11240-AK

PLAINTIFF'S RESPONSE TO COURT'S SHOW CAUSE ORDER

Comes now Mark Saunders, Plaintiff Pro Se, hereby responds to Court's Show Cause Order by the following:

1. At question is whether Plaintiff's copyrighted document is actually afforded protection under U.S. copyright code.
2. By filing for copyright protection, Plaintiff submitted his document for review by the United States Copyright Office.
3. After scrutiny by the U.S. Copyright Office, the determination was made that the document is indeed, copyright protected, as it met the guidelines of a literary work expressed in a tangible means of expression. The Copyright Office then issued Copyright No. TXu002186544
Title: IN CONSIDERATION OF THE ESTABLISHMENT OF AN ADMINISTRATIVE
COMMISSION TO INVESTIGATE SESSION IMPROPRIETIES AT NEWTON
PRESBYTERIAN CHURCH.
4. Plaintiff's document is not a collection of ideas. It is in its essence and most basic form, an address with a high degree of creative expression, to have been delivered to a very limited


audience (i.e. The Presbytery of Boston meeting attendees of November 14, 2016). The address was undelivered, as outlined in ¶ 18 of Plaintiff's Complaint ("Plaintiff had planned to read a document he had prepared that was in support of the establishment of an AC, but decided to withhold any statement after NPC session members offered no objection to an AC."). And as such, and previously fixed in a tangible medium of expression for Plaintiff's eyes only, it falls squarely under the classification of a literary work with no public distribution. Thus, the document is afforded copyright protection under U.S. Code Title 17 §102.

6. Plaintiff's document is afforded a higher level of protection in that the material is unpublished (*Salinger v. Random House, Inc.*, 811 F.2d 90 (2d Cir. 1987)), with right of first publication afforded to plaintiff. (*Harper & Row v. Nation Enterprises*, 471 U.S. 539 (1985)),

7. Plaintiff is filing an Amended Complaint in compliance with the Court's Show Cause Order. The Amended Complaint has the copyrighted document attached as EXHIBIT A.

Respectfully submitted,

DATE: 6-16-22


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